

REGULAR COUNCIL MEETING MINUTES

APRIL 17, 2012

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, April 17, 2012, at 9:30 am, in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Mayor Gregor Robertson  
Councillor George Affleck  
Councillor Elizabeth Ball  
Councillor Adriane Carr\*  
Councillor Heather Deal  
Councillor Kerry Jang  
Councillor Raymond Louie\*  
Councillor Geoff Meggs  
Councillor Andrea Reimer\*  
Councillor Tim Stevenson\*  
Councillor Tony Tang

**CITY MANAGER'S OFFICE:** Penny Ballem, City Manager  
David McLellan, Deputy City Manager

**CITY CLERK'S OFFICE:** Janice MacKenzie, Acting City Clerk  
Laura Kazakoff, Meeting Coordinator

\*Denotes absence for a portion of the meeting.

**WELCOME**

The proceedings in the Council Chamber were opened with welcoming comments read by Councillor Tang.

**CONDOLENCES - TOM CONE AND DAVID HOLTZMAN**

The Mayor expressed condolences on behalf of City Council to the families and friends of Tom Cone and David Holtzman, and noted the significant contributions both had made to the city of Vancouver. The Mayor invited bagpiper Kyle Banta to play "Amazing Grace" in memory of Mr. Cone and Mr. Holtzman.

## **PRESENTATION - CityStudio Vancouver: The City is the Classroom**

The Mayor invited Moura Quayle, Professor at UBC Sauder School of Business, and Duane Elverum and Janet Moore, of C3 and CityStudio Vancouver, to provide a presentation in regard to the C3 Campus - City Collaborative and the CityStudio project "The City is the Classroom".

Following the presentation, the Mayor proclaimed Tuesday, April 17, 2012, as "The City is the Classroom" day in the city of Vancouver, and invited all participating students and faculty members in attendance to the front of the Chamber to receive the Proclamation and have a group photograph taken.

## **"IN CAMERA" MEETING**

MOVED by Councillor Meggs  
SECONDED by Councillor Deal

THAT Council will go into a meeting on Wednesday, April 18, 2012, which is closed to the public, pursuant to Section 165.2(1) of the Vancouver Charter, to discuss matters related to paragraphs:

(b) personal information about an identifiable individual who is being considered for an award or honour, or who has offered to provide a gift to the city on condition of anonymity;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;

(k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY

## **ITEMS ARISING FROM THE "IN CAMERA" MEETING OF MARCH 28, 2012**

- Council appointed the following individuals to the Vancouver Economic Commission for three-year terms to commence July 12, 2012, and end June 30, 2014:
  - Joel Calvo
  - Tom English.
- Council appointed the following individuals to the Vancouver Heritage Foundation Board; terms to commence at the Foundation's 2012 Annual General Meeting and end at the Foundation's 2014 Annual General Meeting:

- Jane Banfield
  - John Blackmer
  - Maryann Clark
  - Marta Farevaag
  - Baila Lazarus
  - Mollie Massie
  - Paul Nursey
  - Barbara Vanderburgh.
- Council appointed the following individuals to the Vancouver Food Policy Council, terms to commence immediately and end December 7, 2014:
    - Zsuzsi Fodor
    - Kimberley Hodgson.
  - Council appointed Rosemary Hagiwara to act as Deputy City Clerk for the duration of her incumbency as Acting Director of Council Operations.

#### **ADOPTION OF MINUTES**

##### **1. Special Council (Public Hearing) - March 26, 2012**

MOVED by Councillor Jang  
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

##### **2. Regular Council - March 27, 2012**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

##### **3. Regular Council (City Finance and Services) - March 27, 2012**

MOVED by Councillor Louie  
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

**4. Regular Council (Planning, Transportation and Environment) - March 28, 2012**

MOVED by Councillor Reimer  
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

**5. Business License Hearing - April 4, 2012**

MOVED by Councillor Meggs  
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

**6. Special Council (Public Hearing) - February 27 & 28, March 1 & 27,  
April 4 & 5, 2012**

MOVED by Councillor Jang  
SECONDED by Councillor Tang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Jang  
SECONDED by Councillor Deal

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair.

CARRIED UNANIMOUSLY

**MATTERS ADOPTED ON CONSENT**

MOVED by Councillor Meggs

THAT Council adopt Administrative Report A1 and Policy Reports P1 and P2 on consent.

CARRIED UNANIMOUSLY

## REPORT REFERENCE

### 1. Vancouver Greenest City Fund April 10, 2012

Amanda Pitre-Hayes, Director of Sustainability, provided a presentation regarding the proposed establishment of the Vancouver Greenest City Fund and introduced several people in attendance who provided comments regarding community projects in Vancouver which advance the Greenest City Action Plan goals. Ms. Pitre-Hayes, along with Faye Wightman, Executive Director, Vancouver Foundation, Patrice Impey, General Manager, Financial Services, and previous speakers, responded to questions regarding the proposed fund.

MOVED by Councillor Reimer

- A. THAT Council establish the Vancouver Greenest City Fund to enable community projects in Vancouver that advance the Greenest City Action Plan goals.
- B. THAT Council approve the Vancouver Foundation as a partner in establishing the Vancouver Greenest City Fund with the Vancouver Foundation to act as administrator of the Vancouver Greenest City Fund and provide matching funding.
- C. THAT Council approve a total contribution of up to \$1 million to a Vancouver Greenest City Fund, of which \$0.5 million will be contributed upon inception and the balance to be provided within 24 months after inception; source of funding to be the Parking Sites Reserve.
- D. THAT Council approve the Memorandum of Understanding between the City and the Vancouver Foundation, attached as Appendix A to the Administrative Report dated April 10, 2012 entitled "Vancouver Greenest City Fund", which defines the partnership, administrative and funding arrangements between the City and the Vancouver Foundation, including Vancouver Foundation's requirement to match the City's financial contribution with an equivalent amount of funding.
- E. THAT all legal agreements with the Vancouver Foundation and any other required parties be on such terms and conditions as are satisfactory to the City Manager, Director of Finance, and Director of Legal Services and generally on such terms outlined in the Administrative Report dated April 10, 2012, entitled "Vancouver Greenest City Fund".
- F. THAT all such legal agreements, upon approval pursuant to E above be executed and delivered by the Director of Legal Services.

- G. THAT no legal rights or obligations will be created by the adoption of A to F above unless and until such legal agreements are executed and delivered by the Director of Legal Services.

CARRIED  
(Councillors Affleck and Ball opposed)

#### UNFINISHED BUSINESS

1. Rezoning: 228-246 East Broadway and 180 Kingsway (Rize Alliance)

At the Public Hearing which was held on February 27, February 28, March 1, March 27, April 4 and April 5, 2012, Vancouver City Council concluding hearing from speakers on the above-noted application, and referred discussion and decision on the application to the Regular Council meeting to be held April 17, 2012, as Unfinished Business.

The Mayor advised that additional written comments and speaker submissions which were received on the last evening of the Public Hearing, including that which was received during the 15 minutes following the close of the speakers list, had been circulated to all Council members.

The Mayor also noted that Council members who were absent for part of the public hearing may only vote on this matter if they confirm they have received a summary report which included viewing the video recording of the part of the public hearing from which they were absent.

Councillor Ball, who had been absent on March 27 and April 4, and Councillor Reimer who had been absent on April 4 and April 5, both confirmed that they had received a summary report of the public hearing which included viewing the video recording for the portions they had missed, and they would therefore be participating in the discussion and vote on this matter.

Councillor Stevenson, who had been absent on March 27, April 4 and April 5, did not participate in the discussion or vote on this matter.

*Note: the following motion contains additions (shown in bold/italics) to the original recommendations as contained in the Summary and Recommendation for this item.*

MOVED by Councillor Louie

- A. THAT the application, by Acton Ostry Architects on behalf of Rize Alliance (Kingsway) Properties Ltd., to rezone 228-246 East Broadway (PIDs: 009-760-814, 009-760-822 and 009-760-831 - Lots A, B and C Block 119 District Lot 301 Plan 9097) and 180 Kingsway (PID: 010-976-523 - Lot E [Explanatory Plan 6228] Block 119 District Lot 301 Plan 6082) from C 3A (Commercial) District to CD-1 (Comprehensive Development) District to permit a mixed-use commercial and residential project with a total floor space ratio of 5.55, generally as presented in Appendix A of the Policy Report dated January 20,

2012, entitled "CD-1 Rezoning - 228-246 East Broadway and 180 Kingsway", be approved subject to the following conditions:

#### CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Acton Ostry, Architects, and stamped "Received City Planning Department, October 7, 2011", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

1. Design development to refine the proposed contextual and contemporary architectural strategy for the various massing components, with careful attention to the tower and the projects overall scale.

Note to Applicant: The architectural strategy should recognize and clearly announce aspects of the Mount Pleasant context, street life, façade quality and composition, materiality and colour, while leaving room for a creative and contemporary interpretation of these contextual assets. Incorporation of public art should be considered.

2. Design development to improve the shadow performance for the sidewalk between Main Street and Kingsway on the north side of Broadway for the respective equinoxes from 10:00 a.m. until noon.

Note to Applicant: This can be achieved with some additional setting back or terracing of the upper floors without a reduction in proposed floor space.

3. Design development to refine the ground-level storefront, display and weather protection systems, to improve pedestrian vitality, visual interest and public realm quality.

Note to Applicant: Each distinctive street frontage serves a different role with respect to uses, access and pedestrian amenities. A variety of architectural expression is supported.

4. *Prior to issuance of a development permit, the applicant is to work with staff to improve the esthetics of the building and particularly with the bulky appearance of the podium given specific consideration to matters including but not limited to the following:*

*- On the Broadway elevation, the breaking up of the large, monolithic, horizontal element that is presently located above the pedestrian colonnade in order to reduce its scale and mass.*

*- strengthen walk-ability along the Broadway frontage by adding a secondary order of building elements within the colonnade and at the sidewalk level that are pedestrian scaled.*

*- On all facades, refinement of the exterior wall treatments to create elements of smaller scale and expression.*

*- Additional measures to enhance the pedestrian realm, particularly along Watson Street as set out in the Mount Pleasant Community Plan.*

5. Provision of a conceptual lighting strategy to ensure appropriate lighting levels and Crime Prevention Through Environmental Design (CPTED) performance while minimizing glare for nearby residents.

Note to Applicant: Careful attention to public realm lighting, including the 10th Avenue and Watson Street frontages is required. All lighting should also be noted on the Landscape Plan.

6. Provision of a conceptual signage strategy to ensure a well conceived and constrained approach to announcing tenancies.

Note to Applicant: The signage strategy should confirm general signage hierarchy, location and type. Back-lit box signs are not supported. Under this condition staff are pursuing a more understated approach to signage as observed on the Crossroads development located at Broadway and Cambie Street. Further clarification on finer grain, and more creative approaches to announcing ground-oriented tenancies as observed on Main Street is required.

7. Design development of an appropriate public realm strategy, in consultation with the Director of Planning and the General Manager of Engineering Services.

Note to Applicant: Work will commence on the Mount Pleasant Public Realm Plan in early 2012. Staff emphasize the importance of anticipating and accommodating the pedestrian activity and related queuing associated with a future Broadway corridor transit system. More immediate discussion on the resolution of Watson Street, given access and loading requirements, and for the 10th Avenue frontage, given special public amenity and public realm opportunities as the quietest street adjacent to the site, with the best solar exposure, is required prior to development application submission.



8. Design development to minimize the visual impact of the Watson Street fronting loading function.

Note to Applicant: Careful attention to minimize the opening, integrating custom visual screening, is required. Consideration should be given to working with a local artist in this regard.

9. Provision of an Operations Management Plan.

Note to Applicant: All aspects of site management including tenancy operations, public realm programming and anticipated protocols for communication with the developer/owner and the commercial/residential strata corporation(s) to ensure that complaints typically generated in a compact, urban mixed-use environment are effectively managed.

#### **Crime Prevention Through Environmental Design (CPTED)**

10. Design development to respond to CPTED principles, having particular regards for:

- (i) theft in the underground parking garage;
- (ii) residential break and enter;
- (iii) mail theft; and
- (iv) mischief in alcoves and vandalism, such as graffiti.

Note to Applicant: As with any large development, the applicant must consider and design against uncommon by the potential risks such as break and enter to property or vehicles, mail theft, the perceived safety of underground parking areas, mischief and vandalism. Provide a strategy that identifies the particular risks that may arise on the site and proposes specific features to mitigate them. Show on the Plans where these features should be located, and provide an indicative design for them.

#### **Sustainability**

11. Identification on the plans and elevations of the built elements contributing to the development's sustainability performance in achieving LEED® Silver, or equivalent, with a minimum of 36 points, including at least 3 optimize energy points, one water efficiency point and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming LEED® Silver status and a detailed written description of how the above-noted points have been achieved with reference the specific building features in the

development. Both the checklist and description should be incorporated into the drawing set. As per Council policy, the project must be registered with the LEED® program.

### Landscape

12. Provision of a complete Landscape Plan.

Note to Applicant: The Landscape Plan must illustrate the proposed Plant materials (common and botanical names), sizes and quantities; notation of existing trees (to be removed and retained), paving, walls, fences, light fixtures and other landscape elements. The Plan should be at 1:100 or 1/8" scale.

13. Provision of a Landscape Lighting Plan showing illumination of pedestrian areas for security and safety purposes.

Note to Applicant: Lighting details should also be included on the Landscape Plan.

14. Design development to integrate and fully screen all above-grade utilities, such as gas meters and transformers.

Note to Applicant: All utilities should be illustrated on the Landscape Plan and the Site Plan. Impact of utilities on the architectural expression and the buildings open space and the public realm must be minimized.

15. Provision of a detailed and thorough Landscape Management Schedule for the proposed landscape forms, including planters, the green roof and irrigation systems to ensure follow-up maintenance for long-term care of Plantings at all building locations.

16. Provision of adequate planting medium depth in the planters that are on-slab, to meet the latest BC Society of Landscape Architects (BCSLA) standard.

17. All plants must be consistent with the City of Vancouver "Water Wise Landscape Guidelines".

18. Provision of current best-practises for managing water conservation, including high-efficiency irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching, all to be illustrated on the Landscape Plan.

Note to Applicant: Where the deletion of irrigation for all on-slab planters is a strategy to earn an LEED® point, provide a written rationale for the choice of plants, the amount of sun exposure and the

soil volumes. In addition, provide a maintenance schedule for watering the plantings during the first year following installation to ensure proper maintenance.

19. Provision of a high-efficiency irrigation system specified in all landscaped areas.

Note to Applicant: The irrigation system design and installation shall be in accordance with the Irrigation Industry Association of BC (IIABC) Standards and Guidelines latest standards. Notation to this effect should be added to the Landscape Plan.

20. Provision of sectional drawings illustrating the public realm interface between the building façade and the curb edge.

Note to Applicant: The sections should be at a scale of 1:50 or ¼". They should include details of grade changes, retaining walls, guardrails, stairs and planters.

21. Provision of greenery along the Watson Street frontage in the form of a green wall.

22. Provision of new street trees located adjacent to the development site on Broadway and Kingsway, as illustrated on the landscape Plans submitted as part of the rezoning application.

Note to Applicant: Existing and healthy street trees on 10th Avenue and Watson Street must be protected, in consultation with Park Board staff.

23. New street trees to be provided adjacent to the development site and illustrated on the Landscape Plan, to be confirmed prior to issuance of a Building Permit.

Note to Applicant: Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Brad Etheridge, Park Board, ph: 604.257.8587 for tree species selection and planting requirements. Provide a notation on the Landscape Plan, "Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm calliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 ft. in length and 18 inches in depth. Call the Park Board for inspection after tree planting completion."

### Engineering

24. Confirmation that there are no portions of buildings encroaching beyond the ultimate property lines of the site.

25. Existing property lines must be indicated on all Plan views, and be fully dimensioned.  
  
Note to Applicant: At a minimum, the Site Plan must be fully dimensioned.
26. Clarification of the residential garbage pick-up operations is required.  
Note to Applicant: Confirmation that a waste hauler can access and pick-up from the location shown without reliance of bin storage on City property is required.
27. Submission of a canopy application is required.  
  
Note to Applicant: Any encroaching canopies require a canopy application. Please note that canopies must be fully demountable and drained to the buildings internal drainage system.
28. Provision of sidewalks that meet existing City standards for commercial frontages.  
  
Note to Applicant: The sidewalks should provide an aggregate band at curb, with broomed finished and saw-cut joints on all frontages. The angled scoring of sidewalks is not supported – typical scoring is required.
29. Deletion of the pavers shown on public property on the Landscape Plan.
30. The Brewery Creek feature and proposed materials on public property are to be clarified.  
  
Note to Applicant: The design must be acceptable to the General Manager of Engineering Services and provide a long-lasting and slip-free treatment.
31. Design development to ensure that a minimum of 50% of the bicycle parking spaces must have dedicated electric plug-in outlets provided for electric bikes.
32. Design development to ensure that a minimum of 20% of the proposed residential parking spaces have vehicle charging infrastructure for electric vehicles.
33. Submission of a Loading Management Plan and a rationale for the requested loading relaxation.

## CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the Director of Planning, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services and Approving Officer, as necessary, at the sole cost and expense of the owner/developer unless otherwise noted, make arrangements for the following:

### Engineering

1. Consolidation of Lot E (Explanatory Plan 6228) Block 119, DL 301, Plan 3082, and of Lots B and C, Block 119, DL 301, Plan 9097) into a single parcel.
2. Release of Easement & Indemnity Agreements 144291M (for fuel intake pipes on City property), BA554686 & BA554688 (existing building encroachments onto City property), and 214247M & 219924M (retaining wall/support agreements), and for Statutory Right-of-Way Agreement 221761M (for public utilities); prior to issuance of the building's occupancy permit.

Note to Applicant: The applicant should also make arrangements for the release of all other charges made redundant by the development, i.e., Party Wall Agreement 207095M and Easement M90946.

3. Provision of the following surface statutory rights of way for pedestrian purposes and removal of all structures above grade to a height of 7.62 m above grade, within the right-of-way areas:
  - (i) 2.5 m by 2.5 m (8.2 ft. by 8.2 ft.) corner-cut at the northwest corner of the site; and
  - (ii) 2.75 m by 2.75 m (9.0 ft. by 9.0 ft.) corner-cut at the northeast corner of the site.
4. Provision of a surface statutory right-of-way along the Broadway, Kingsway and 10th Avenue frontages between the building face and the property line (widened sidewalk) for pedestrian purposes. The statutory rights of way areas are generally as shown on Landscape Plan Level-01 dated May 18, 2010 and revised on October 10, 2011 and any further amendments. Further design development of the setback space and adjustment of the landscape features in this area is required to accommodate the public access statutory right-of-way.

5. Enter into a Services Agreement to provide for the following:
  - (i) a painted left-turn bay on northbound Kingsway at Broadway, including:
    - a. curb modifications along the west side of Kingsway, to accommodate the painted left-turn bay; and
    - b. traffic signal modifications and associated signal controller infrastructure to accommodate the installation of the painted left-turn bay.

Note to Applicant: Relocation of the curb, sidewalk and utilities will be required to accommodate the painted left-turn bay. The improvements to the traffic signal will be determined within five years of the last occupancy permit issued for the site, should traffic demands warrant signal improvements.

- (ii) modifications and improvements to 10th Avenue from Main Street to Watson Street and from Watson Street to Kingsway, including:
  - a. improvements to the 10th Avenue Bikeway;
  - b. transit and bus improvements on 10th Avenue;
  - c. curb and pavement modifications to restrict vehicle travel on 10th Avenue between Kingsway and Watson Street and to accommodate bikeway and transit bus stop improvements;
  - d. upgrades to the street lighting on 10th Avenue to Greenways standards;

Note to Applicant: Full cut-off metal halide luminaries and additional street lamp standards, including pedestrian-level lighting where necessary, to meet lighting needs are required.

- e. Provision of a minimum of two benches and a water fountain along 10th Avenue to complement the Greenway;

Note to Applicant: The benches and fountain are to be maintained by the project and should be provided on-site, not on public property. The detailed design of all improvements will be finalized following consultation with the local community and stakeholders.

- f. Provision of improvements around the site to meet current standards including 1.8 m (5.9 ft.)-wide concrete walks and saw-cut tolling joints where space permits;
- g. Provision of street trees around the site where space permits.

Note to Applicant: Tree species for Kingsway are to be *Parrotia persica* x "Vanessa" and for Broadway are *Acer freemani* x "Armstrong".

- 6. Provision, operation, and maintenance of shared vehicles and the provision and maintenance of parking spaces for use exclusively by such shared vehicles at the rate and on such terms as indicated below:
  - (i) shared vehicles and shared-vehicle spaces shall be provided at a rate of 1% of the total number of dwelling units;
  - (ii) shared vehicle spaces are to be included as part of the minimum parking requirement;
  - (iii) a professional shared vehicle organization is to manage the shared vehicles;
  - (iv) the registration against the title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, of a covenant under Section 219 of the Land Title Act of British Columbia, a statutory right-of-way, or other instrument satisfactory to the Director of Legal Services, providing that the shared vehicle spaces in the development must be accessible to members of the car sharing organization who do not reside in the development; and
  - (v) the provision of, prior to issuance of any development permit, details on arrangements that will allow members of the shared vehicle organization access to the car share parking spaces.
- 7. Provision of adequate water service to meet the fire flow demands of the project.

Note to Applicant: The rezoning application lacks the details to determine if water main upgrading is required. Please provide project details including the projected fire flow demands as determined by a mechanical engineering consultant. If water system upgrading is required, arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required

to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that is required.

8. Provision of all services to be underground from the closest existing suitable service point.

Note to Applicant: All electrical services to the site must be primary with all electrical Plant, which include but are not limited to, junction boxes, switchgear, pad-mounted transformers and kiosks, to be located on private property. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate the development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be serviced underground. The developer is responsible for 100% of the cost of the above.

#### **Public Art**

9. Execute an agreement, satisfactory to the Director of Legal Services and the Managing Director of Cultural Services, for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials and provide development details to the satisfaction of the public art program manager.

Note to Applicant: To discuss your public art application and options to fulfill the obligations, please call Bryan Newson, Public Art Program Manager at 604.871.6002. A checklist will be provided.

#### **Community Amenity Contribution (CAC)**

10. Pay to the City, prior to By-law enactment, the \$6,250,000 cash contribution which the developer has offered, to be allocated towards a fund for local serving amenities.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.



- B. THAT the application to amend the Sign By-law to establish regulations for this CD-1 in accordance with Schedule E (assigned Schedule "B" [C-3A]), generally as set out in Appendix C of the Policy Report dated January 20, 2012, entitled "CD-1 Rezoning - 228-246 East Broadway and 180 Kingsway", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law to include this CD-1 in Schedule B, generally as presented in Appendix C of the Policy Report dated January 20, 2012, entitled "CD-1 Rezoning - 228-246 East Broadway and 180 Kingsway".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the necessary amendments to the Parking By-law to include this CD-1 and to provide parking regulations, generally as presented in Appendix C of the Policy Report dated January 20, 2012, entitled "CD-1 Rezoning - 228-246 East Broadway and 180 Kingsway".
- E. *THAT the Director of Finance be directed to place the total Community Amenity Contribution proceeds in a specific reserve to be allocated to public amenities within the Mount Pleasant community.*
- F. *THAT staff report back to Council within 6 months from this date with a clear strategy on the use of the Community Amenity Contributions designated for cultural amenities up to \$4.5M in the form of capital contribution and or operating endowment in order to bring on line community-based artist production space in the Mt Pleasant community.*
- G. *THAT staff report back within 6 months on the proposed strategy to utilize the \$1.75M designated for affordable housing for contributing to the availability of affordable housing in the Mount Pleasant community.*
- H. *THAT staff be directed to consult with the Mount Pleasant Community Liaison Group on the implementation strategy of the Community Amenity Contributions.*

carried

REFERRAL MOVED by Councillor Carr

THAT this matter be referred to staff to work with the developer in cooperation with the local community to resubmit a project that addresses the community's issues with regard to height, density, permeability, iconic design, impacts on the bicycle lane, and treatment of Watson Street.

not put

\* \* \* \* \*

*Council recessed at 11:38 am and reconvened at 12:20 pm, with the same members present.*

\* \* \* \* \*

*Following the recess, it was*

*MOVED by Councillor Louie*

*THAT Council suspend Section 2.3 (a) and (b) of the Procedure By-law in order to extend the meeting to 1:45 pm.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

\* \* \* \* \*

*Councillor Louie rose on a Point of Order and noted that the motion to refer the matter to staff was not in order as the issue before Council was whether to approve or reject the rezoning application.*

*The Mayor ruled the referral motion out of order.*

\* \* \* \* \*

Following the referral motion being ruled out of order, the motion by Councillor Louie was put and CARRIED with Councillor Carr opposed, and Councillor Stevenson ineligible for the vote.

## 2. Rezoning: 1870 East 1<sup>st</sup> Avenue and 1723 Victoria Drive

At the Public Hearing on Monday, April, 16, 2012, Council concluded the hearing of the public on this item and referred discussion and decision to this meeting as Unfinished Business.

MOVED by Councillor Jang

THAT, due to time constraints, this matter be referred to the Council meeting immediately following the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, April 18, 2012, at 9:30 am, as Unfinished Business.

CARRIED UNANIMOUSLY  
(Councillor Carr absent for the vote)

**ADMINISTRATIVE REPORTS**

1. **Fleet Additions - Two (2) Utility Terrain Vehicles and Two (2) Trailers for the Vancouver Police Department  
March 23, 2012**
  - A. THAT Council approve the addition of two (2) utility terrain vehicles and two (2) trailers to the Vancouver Police Department fleet at a total cost of \$66,200;  
  
FURTHER THAT Council approves partial funding of the initial vehicle purchase by an acceptance of a donation of \$55,000 from the Vancouver Police Foundation;  
  
AND FURTHER THAT Council approves the remaining initial vehicle purchase funding requirements of \$11,200 to be provided from the Truck and Equipment Plant Account.
  - B. THAT the annual operating costs of the vehicle, including the capital repayment (for the portion funded from the Truck and Equipment Plant Account), which totals \$16,360 be provided by the existing 2012 Operating Budget and going forward reviewed as part of the annual operating budget approval process.

ADOPTED ON CONSENT

\* \* \* \* \*

**VARY AGENDA**

*MOVED by Councillor Deal*

*THAT the order of the agenda be varied in order to deal with Administrative Report A3, By-laws and Motions first, and then any remaining items, subject to time availability.*

**CARRIED UNANIMOUSLY**  
*(Councillor Carr absent for the vote)*

**NOTE FROM MEETING COORDINATOR:** *The items are minuted in numerical order, for ease of reference.*

\* \* \* \* \*

**2. Fleet Additions - Evelyne Saller Centre  
March 21, 2012**

This item was referred to the Council meeting immediately following the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, April 18, 2012, at 9:30 am.

**3. Establishment as Lane of a Portion of 2791 West 36<sup>th</sup> Avenue  
March 27, 2012**

MOVED by Councillor Carr

THAT Council authorize the Director of Legal Services in consultation with the General Manager of Engineering Services to proceed with the necessary arrangements to transfer to the City, at no cost to the City, and establish as lane the north 10 feet of 2791 West 36<sup>th</sup> Avenue (legally described as [PID: 013-935-208] Lot 32 Block 29 District Lot 2027 Plan 2283), the same as shown hatched on the sketch attached as Appendix "A" (the "Lane Portion") to the Administrative Report dated March 27, 2012, entitled "Establishment as Lane of a Portion of 2791 West 36<sup>th</sup> Avenue".

CARRIED UNANIMOUSLY  
(Councillor Reimer absent for the vote)

**4. 258 East Pender Street - Façade Grant - DB 437489  
February 23, 2012**

MOVED by Councillor Louie

- A. THAT Council approve a façade grant of up to \$50,000 for the rehabilitation of the principal façade at 258 East Pender Street as contemplated by Development Application Number DB 437489, the source of funding being the 2009 Capital Budget for the Heritage Façade Rehabilitation Program.
- B. THAT Council authorize the City to enter into an agreement with the owner of 258 East Pender Street to be registered in the Land Title Office as a section 219 covenant, which agreement shall require the rehabilitation to be overseen by a qualified Heritage Consultant and will require the owner to maintain the 258 East Pender Street façade in good appearance and good repair for a minimum of fifteen years;

FURTHER THAT the agreement described above shall be prepared, registered and given priority to the satisfaction of the Director of Legal Services in consultation with the Director of Planning.

CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY

**5. Grant to Atira Women's Resource Society; 502 Alexander Street Affordable Housing March 6, 2012**

MOVED by Councillor Jang

THAT Council approve a grant of up to \$92,000 towards the construction of a 12-unit housing development for low-income residents in the Downtown Eastside at 502 Alexander Street. [Block 42 PLAN VAP 196 District Lot VAP196 NWD Parcel A, Group 1. PID: 028-357-957)]; the source of funds is the 2012 Capital Budget for Housing;

FURTHER THAT no legal rights or obligations shall arise or be created from approval of the above until all the required legal documentation is executed in full and on terms and conditions to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY

The following Administrative Reports were referred to the Council meeting immediately following the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, April 18, 2012, at 9:30 am.

6. 2011 Capital Closeout
7. Mechanical Repairs at 312 Main Street Building
8. Kerrisdale Parkade Repairs

**POLICY REPORTS**

1. **CD-1 Rezoning: 960-982 Howe Street March 27, 2012**
  - A. THAT the application by CEI Architecture Planning Interiors on behalf of The Manufacturer's Life Insurance Company Inc. to rezone 960-982 Howe Street (Lots 12-19 Block 72, District Lot 541, Plan 210 - P.I.D. Numbers 015-456-021, 015-456-064, 015-456-099, 015-456-170, 005-407-133, 005-407-532, 005-407-613 and 005-725-291) from DD (Downtown District) to CD-1 (Comprehensive Development) to permit a 16-storey office building with retail uses on the ground floor be referred to a Public Hearing, together with:
    - (i) plans prepared by CEI Architecture and Endall Elliot Associates, received February 21 2012;
    - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 960-982 Howe Street"; and

- (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B of the above-noted Policy Report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A of the above-noted Policy Report for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1 and to include this CD-1 in Schedule E of the Sign By-law, generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 960-982 Howe Street", be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Sign By-law generally as set out in the above-noted Appendix C for consideration at the Public Hearing.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 960-982 Howe Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

- D. THAT, subject to enactment of the CD-1 By-law, the Parking By law be amended generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 960-982 Howe Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the CD-1 By-law.

- E. THAT A, B, C and D above be adopted on the following conditions:

- (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law and that any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT

2. CD-1 Rezoning: 5761-5775 St. George Street  
March 27, 2012

- A. THAT the application, by Silk St. George Development Ltd., to rezone 5761-5775 St. George Street (Lots 6 and 7, District Lot 642 Plan 1521, PIDs: 011-806-478 and 014 580-543, respectively), from RS-1 (One-Family Dwelling District) to CD-1 (Comprehensive Development District), to permit a multi-family residential development under the Housing Demonstration Program be referred to a public hearing, together with:
  - (i) plans received October 14, 2011;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 5761-5775 St. George Street"; and
  - (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B of the above-noted Policy Report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A of the above-noted Policy Report for consideration at the public hearing.

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 5761-5775 St. George Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the CD-1 By-law.

- C. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C of the Policy Report dated March 27, 2012, entitled "CD-1 Rezoning: 5761-5775 St. George Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary amendments to the Parking By-law at the time of enactment of the CD-1 By law.

- D. THAT A, B and C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Jang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY  
(Councillors Carr, Louie and Stevenson absent for the vote)

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Jang  
SECONDED by Councillor Affleck

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY  
(Councillors Carr, Louie and Stevenson absent for the vote)



## BY-LAWS

The Mayor noted that requests to speak to By-law 11 had been received.

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT By-law 11 be referred to the Standing Committee on Planning, Transportation and Environment meeting on Wednesday, April 18, 2012, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY  
(Councillors Carr, Louie and Stevenson absent for the vote)

*Subsequent to the meeting, and following the receipt of advice from the City's Legal Department, it was determined that as a public process (Development Permit Board) had already taken place, speakers would not be heard on By-law 11.*

Councillors Deal, Louie and Tang confirmed they had reviewed the proceedings with regard to By-law No. 4 and they would therefore be voting on the by-law.

In addition, on March 27, 2012, Councillor Tang advised he had reviewed the proceedings with regard to the Public Hearing for 606 Powell Street, and he is therefore eligible to vote on By-law 2 of this agenda.

MOVED by Councillor Meggs  
SECONDED by Councillor Jang

THAT Council, except for those members ineligible to vote as noted below, enact the by-laws listed on the agenda for this meeting as numbers 1 to 10 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. **A By-law to amend Noise Control By-law No. 6555 (606 Powell Street)**  
(By-law No. 10463)
2. **A By-law to amend Sign By-law No. 6510 (606 Powell Street)** (By-law No. 10464)  
*(Councillors Affleck, Ball, Carr and Stevenson ineligible for the vote)*
3. **A By-law to amend Noise Control By-law No. 6555 (6311 Cambie Street)**  
(By-law No. 10465)
4. **A By-law to amend Sign By-law No. 6510 (6311 Cambie Street [6309-6337 Cambie Street])** (By-law No. 10466)  
*(Councillors Affleck, Ball, Carr and the Mayor ineligible for the vote)*

5. A By-law to designate certain real property as protected heritage property (500 Alexander Street - The Old Sailors Home) (By-law No. 10467)  
*(Councillors Ball and Stevenson ineligible for the vote)*
6. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (2298 Galt Street) (By-law No. 10468)
7. A By-law to amend Subdivision By-law No. 5208 (2298 Galt Street)  
(By-law No. 10469)
8. A By-law to amend CD-1 By-law No. 4085 (2001 Nanton Avenue)  
(By-law No. 10470)
9. A By-law to amend CD-1 By-law No. 10391 (1549 West 70<sup>th</sup> Avenue [formerly 8495 Granville Street]) (By-law No. 10471)  
*(Councillors Ball and Stevenson ineligible for the vote)*
10. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (2667-2703 Kingsway) (By-law No. 10472)  
*(Councillors Affleck, Ball, Carr and Tang ineligible for the vote)*

#### MOTIONS

##### A. Administrative Motions

1. Establishment as Lane of a Portion of 2791 West 37<sup>th</sup> Avenue

MOVED by Councillor Jang  
SECONDED by Councillor Louie

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for lane purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All that portion of Lot 32, Block 29, District Lot 2027, Group 1, New Westminster District, Plan 2283 as shown within heavy bold outline on plan of survey prepared by Edmund T. Wong, B.C.L.S completed and checked on December 23, 2011;

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for lane purposes;

BE IT RESOLVED that the above described lands to be conveyed are hereby accepted and allocated for lane purposes and declared to form and to constitute a portion of a lane.

CARRIED UNANIMOUSLY

**2. Approval of Form of Development: 1549 West 70<sup>th</sup> Avenue  
(formerly 8495 Granville Street)**

MOVED by Councillor Jang  
SECONDED by Councillor Louie

THAT the form of development for this portion of the site known as 1549 West 70<sup>th</sup> Avenue (formerly 8495 Granville Street) being the application address be approved generally as illustrated in the Development Application Number DE414999, prepared by Henriquez Partners, and stamped "Received, Community Services Group, Development Services", on January 25, 2012, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY

**3. Approval of Form of Development: 2667-2703 Kingsway (2699 Kingsway)**

MOVED by Councillor Jang  
SECONDED by Councillor Louie

THAT the form of development for this portion of the site known as 2667 - 2703 Kingsway (2699 Kingsway being the application address) be approved generally as illustrated in the Development Application Number DE415099, prepared by W.T. Leung Architects Inc., and stamped "Received, Community Services Group, Development Services", on January 25, 2012, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY

**B. Motions on Notice**

**1. Request the Province of British Columbia and TransLink to Allow and Provide Higher Capacity Buses on Broadway Corridor**

The following Motion contains amendments to the original Motion on Notice, which were accepted by the Mover.

MOVED by Councillor Affleck  
SECONDED by Councillor Meggs

WHEREAS

1. Bus transportation is an essential element of the transportation system of Vancouver;

2. Ensuring reliable and efficient movement of passengers is crucial for routes currently at their limit;
3. The 99 B-Line currently passes up thousands of passengers per day and the situation is worsening as more people switch to transit;
4. The opening of the Evergreen Line in 2016 will significantly add to the demand for transit on Broadway;
5. The long-term rapid transit solution for the Broadway corridor will take until at least 2020 to plan and implement; and
6. Cities such as Curitiba, Brazil have utilized bi-articulated buses to increase the number of passengers carried by 30% over traditional articulated buses;

THEREFORE BE IT RESOLVED THAT Council direct staff to work with TransLink to:

- identify and evaluate practical and cost-effective measures to increase capacity on the Broadway Corridor including bus priority measures, all-door loading, express bus options and bi-articulated buses;
- identify restrictive regulations that limit access to increased capacity and recommend steps to eliminate them; and
- report on the outcome of this review as part of the transportation strategy update now under way.

CARRIED UNANIMOUSLY

\* \* \* \* \*

*MOVED by Councillor Stevenson  
SECONDED by Councillor Jang*

*THAT, due to time constraints, the remainder of the items on this agenda (Administrative Reports A2, A6, A7 and A8) be referred to the Council meeting immediately following the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, April 18, 2012, as Unfinished Business.*

CARRIED UNANIMOUSLY

\* \* \* \* \*

The Council adjourned at 1:43 pm

\* \* \* \* \*